

Message Text

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ORIGIN EB-08

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APPROVED BY EB/AN:RABROWN
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-----020432Z 011375 /75-61

R 011913Z FEB 77
FM SECSTATE WASHDC
TO AMEMBASSY PORT AU PRINCE

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E.O. 11652: N/A

TAGS:EAIR, HA

SUBJECT: CIVAIR: HAT APPLICATION FOR FOREIGN AIR CARRIER
PERMIT

1. ON SEPTEMBER 4, 1973, HAITI AIR TRANSPORT (HAT)
APPLIED TO US CIVIL AERONAUTICS BOARD FOR FOREIGN AIR
CARRIER PERMIT. IN VIEW OF UNCERTAIN OPERATING PROSPECTS
OF HAT, APPLICATION HAS BEEN DORMANT, AND NOT ACTIVELY
PRESSED BY GOH.

2. WITH SUBMISSION OF ALM'S APPLICATION TO OPERATE
BETWEEN SAN JUAN AND PORT AU PRINCE, THERE ARE NOW TWO
PENDING APPLICATIONS BY FOREIGN AIRLINES TO SERVE HAITI
FROM US POINTS. CAB PROCEDURES WOULD REQUIRE APPROPRIATE
DISPOSITION OF BOTH APPLICATIONS WHEN FOCUSING ON US-
HAITI SERVICE. CONTINUED PRESENCE ON CAB DOCKET OF HAT
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APPLICATION, THEREFORE, HAS THE EFFECT OF POSSIBLY DE-
LAYING, ON PROCEDURAL GROUNDS, PROMPT ACTION WITH REGARD
TO ALM'S APPLICATION. FURTHERMORE, DEPARTMENT SPECULATES
THAT IF HAT'S APPLICATION WERE PRESENTED TO CAB MEMBERS
FOR DECISION, IT WOULD BE NEGATIVE BECAUSE THE INFORMATION
CONTAINED IN THE APPLICATION IS DATED AND LACKING IN
SUFFICIENT EVIDENCE DEMONSTRATING AIRLINE'S ABILITY TO

PROVIDE REQUESTED SERVICES.

3. DEPARTMENT UNDERSTANDS THAT ALM'S ATTORNEYS, IN THE INTEREST OF EXPEDITING ALM'S APPROVAL, HAVE ALREADY SOUGHT UNSUCCESSFULLY TO PERSUADE GOH OFFICIALS TO WITHDRAW THE HAT APPLICATION. DEPARTMENT HAS RAISED ISSUE WITH AMBASSADOR SALOMON IN WASHINGTON LAST DECEMBER. AMBASSADOR SALOMON SAW NO PROBLEM IN MEETING THIS REQUEST AT THE TIME. ALM'S ATTORNEYS INDICATE THAT PRESENT RELUCTANCE TO WITHDRAW HAT PERMIT MAY BE MOTIVATED BY PERSONAL PECUNIARY INTERESTS IN HAT ON PART OF SOME HAITIAN OFFICIALS.

4. SINCE LIKELIHOOD OF HAT OPERATING IN NEAR FUTURE IS REMOTE, DEPARTMENT AND CAB STAFF SUGGEST THAT EMBASSY RECOMMEND TO APPROPRIATE HIGH-LEVEL GOH OFFICIALS THAT HAT APPLICATION BE WITHDRAWN. THIS WOULD NOT PREJUDICE ANY FUTURE SUBMISSIONS OF APPLICATIONS FOR HAITIAN AIRLINES, AND WOULD DISPEL PROCEDURAL BLOCKS TO EARLY CONSIDERATION OF ALM'S CASE.

5. EMBASSY SHOULD AVOID ANY IMPLICATION THAT USG IS EXERTING UNDUE INFLUENCE BY PRESSING FOR HAT APPLICATION WITHDRAWAL. IT SHOULD BE EMPHASIZED THAT MANDATORY CAB REGULATORY PROCEDURES, AND NOT USG POLICY CONSIDERATIONS, COULD DELAY ALM'S APPLICATION IF HAT APPLICATION NOT WITHDRAWN.

6. IN ADDITION, DEPARTMENT WOULD APPRECIATE REPORT LIMITED OFFICIAL USE

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CONCERNING STATUS OF ALM'S PLANS TO OPERATE SAN JUAN-HAITI SERVICE, INCLUDING PROJECTED STARTING DATE FOR THE FLIGHTS. AS EMBASSY MAY BE AWARE, ON DECEMBER 15, CAB ADOPTED SHOW CAUSE ORDER INVITING PUBLIC COMMENTS CONCERNING PROPOSED SERVICE. SINCE NO OBJECTIONS WERE RECEIVED WITHIN ALLOTTED TIME, NEXT STEP NORMALLY WOULD BE FOR CAB MEMBERS TO ISSUE DECISION CONCERNING ALM PERMIT. ONCE PRESIDENTIAL APPROVAL OF PERMIT WERE OBTAINED, ALM COULD COMMENCE ITS OPERATIONS.

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Disposition Approved on Date:
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